

ORDINANCE NO. 53

Adopted March 21, 1985

AN ORDINANCE TO AMEND ORDINANCE NO. 44, ENTITLED: AN ORDINANCE TO ESTABLISH COMPREHENSIVE ZONING REGULATIONS FOR THE TOWNSHIP OF CHIKAMING, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE TOWNSHIP RURAL ZONING ACT, ACT 184 OF THE PUBLIC ACTS OF 1943, AS AMENDED BY ACT 637 OF THE PUBLIC ACTS OF 1978, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS HEREOF.

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, STATE OF MICHIGAN, ORDAINS:

Section 1.

Article 6, Section 6.03 - Location of Accessory Buildings, is hereby amended to read as follows:

Section 6.03 - Location of Accessory Buildings.

- A. In no case will it be permitted to erect a garage or other accessory building or structure in any required front yard unless it be attached to and a part of the dwelling and in conformance with the setback requirements of Article 5, Section 5.13. All garages and other accessory buildings and structures attached to the dwelling shall be considered a part of the dwelling in determining yard requirements.
- B. A detached accessory building or structure shall be located no closer than 10 feet from any lot line.
- C. An earth receiving station or television satellite dish antenna shall not be located in a front yard and it may only be located in a side yard if there is no space available in the rear yard to locate the antenna or station.

Article 6, Section 6.08 - Dumping of Rubbish, is hereby amended to read as follows:

Section 6.08 - Dumping of Rubbish.

- A. No person, firm or corporation shall dump, cause to be dumped or allow to be dumped any trash, litter, refuse, rubbish, automobiles, automobile bodies, or automobile parts, appliances or any other similar waste materials of any kind or description on any land, private or public, situated in Chikaming Township unless such place has been duly designated a licensed solid waste disposal site or a commercial junk or salvage yard operation, provided all requirements of the Township junk yard ordinance are complied with.

Article 6, Section 6.13 - Recreational Vehicles and Mobile Homes Located Outside State Licensed Parks, is hereby amended to read as follows:

Section 6.13 - Recreational Vehicles and Mobile Homes Located Outside State Licensed Parks.

A. No person shall occupy as a dwelling any recreational vehicle anywhere in Chikaming Township outside a state licensed travel trailer or recreational vehicle park. Emergency parking of a recreational vehicle in any street, alley, or highway will be permitted for a period not to exceed 24 hours, subject to any other regulations or ordinances for that street, alley or highway.

B. No more than one unoccupied recreational vehicle shall be stored or parked on any one piece of property at any time, except in a State licensed recreational or travel trailer park, mobile home park, or sales lot. Such an unoccupied recreational vehicle may be stored as follows:

(a) in a garage provided for same; or

(b) in the side or rear yard of a dwelling, provided it is located not less than 10 feet from any other structure or side or rear property line.

C. No mobile home or modular home may be stored or parked on any one piece of property at any time, except in a state licensed mobile home park. This section does not apply to a mobile home or modular home which has been placed on the piece of property in conformance with Article 18, Section 18.05 ("D"), as amended.

D. Nothing in this section shall be construed as permitting the owner or occupant of any parcel of land to store unoccupied recreational vehicles or mobile homes on his land where vehicles or homes are owned by other(s) than the owner or occupant of said land (see definition of recreational vehicles in Section 18.19 ("R") - Recreational Vehicle).

Section 2.

Article 9, Section 9.01 - Parking and Storing of Unlicensed and Commercial Vehicles and Trailers, is hereby amended to read as follows:

Section 9.01 - Parking and Storing of Unlicensed and Commercial Vehicles and Trailers.

A. Motor vehicles and recreational vehicles of any kind or type without current registration plates or stickers shall not be parked, located or stored on any residentially zoned property or property used primarily for residential purposes other than in completely enclosed buildings. Motor vehicles or recreational vehicles with current registration plates or stickers may be parked, located or stored on any residentially zoned

property, provided such storage area shall not occupy more than 10% of the unoccupied yard area. In residential zones it shall be unlawful to garage or park more than one commercial vehicle larger than a regularly manufactured pickup or panel truck of one and one-half ton capacity per lot; said commercial vehicle must be owned and operated by a member of the family residing on said lot or parcel.

Section 3.

Article 3, Section 13.03 - Zoning Compliance, Paragraph A, is hereby amended to read as follows:

Section 13.03 - Zoning Compliance.

A. It shall be unlawful to commence the excavation for or the construction of any building or other structure including an accessory building or structure, or to commence the moving, alteration or repair of any structure including an accessory building or structure, until the Zoning Administrator has issued for such work a building permit in accordance with the building requirements and procedures specified in the Michigan Construction Code promulgated pursuant to Act 230, P.A. 1972, as amended, including a certification of his opinion that the plans, specifications and intended use of such structure do in all respects conform to the provisions of this ordinance.

Section 4.

Article 14, Section 14.02 - Zoning Board of Appeals: Power and Duties, Paragraph A.2. is hereby amended to read as follows:

Section 14.02 - Zoning Board of Appeals: Powers and Duties.

A.2. Hearings. - The Board of Appeals shall fix a reasonable time for a hearing, not to exceed 30 days from the filing of the Notice of Appeal. Not less than 10 days prior to the hearing date written notice of the hearing shall be given by mail or personal delivery to the appellant, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question and to the occupants of all structures within 300 feet.

Section 5.

Article 18, Section 18.07 ("F"), is hereby amended to read as follows:

Section 18.07 ("F"). Family.

Family:

A. One or more persons related by blood or marriage occupying a dwelling unit and living as a single, non-profit housekeeping unit.

B. A collective number of individuals living together in one house under one head, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or organization, which is not a recognized religious order, nor include a group of individuals whose association is temporary and resort-seasonal in character or nature.

Article 18, Section 18.20 ("S").-Structure, is hereby amended to read as follows:

Section 18.20 ("S"). - Structure.

Structure - Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things structures include buildings, mobile homes, walls, fences, billboards, poster panels, swimming pools, tennis courts, antennas, satellite earth receiving stations and television dish antennas.

Section 6.

The foregoing amendment to Ordinance No. 44, the Chikaming Township Zoning Ordinance, adopted November 12, 1981, was approved by the Township Board of Chikaming Township, Berrien County, Michigan on the 21st day of March, 1985, and ordered to take effect immediately.

Jeanne Dudeck
Jeanne Dudeck, Clerk
Township of Chikaming

Attest:

Dennis E. Scheer
Dennis E. Scheer, Supervisor
Township of Chikaming

CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 53, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a ~~special~~ meeting held on the 21st day of March, 1985. I further certify that Jack Gibson moved

the adoption of said Ordinance and Arthur Sandtveit supported said motion.

The names and the members of the Township Board and their vote on the foregoing Ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN
Sandtveit	<u>X</u>	<u> </u>	<u> </u>
Dudeck	<u>X</u>	<u> </u>	<u> </u>
Scheer	<u>X</u>	<u> </u>	<u> </u>
Sperry	<u> </u>	<u> </u>	<u> </u>
Gibson	<u>X</u>	<u> </u>	<u>ABSENT</u>

I further certify that the aforesaid Ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 21st day of March, 1985, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing Ordinance was published in full in the Galien River Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 28th day of March, 1985.

Dated: March 21, 1985

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township